

48



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/474,388	06/07/1995	TIMOTHY A. SPRINGER	1011.004000D	2682

7590

08/10/2005

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EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notification of Non-Compliant Appeal Brief
(37 CFR 41.37)**

Application No.

08/474,388

Applicant(s)

SPRINGER ET AL.

Examiner

Phillip Gambel

Art Unit

1644

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 21 October 2002 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file a complete new brief in compliance with 37 CFR 41.37 within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed or confirmed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. ☐ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. ☐ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. ☐ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. ☒ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. ☐ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner and relied upon by appellant in the appeal, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10. ☒ Other (including any explanation in support of the above items):

See Continuation Sheet.

PHILLIP GAMBEL
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PRIMARY EXAMINER
TECH CENTER 1600

8/3/05

Continuation of 10. Other (including any explanation in support of the above items): Upon a review of the scanned file, the examiner could NOT locate the current pending claims 71, 72, 77 and 78. In addition the recitation of "B-lymphoblastoid" in claim 76 set forth in the Appendix is NOT consistent with the recitation of claim 76, filed 7/6/98. Also, the recitation of "can specifically bind LFA-1" is NOT consistent with the recitation of claim 73, filed 1/7/97. It appears that a Supplemental Amendment, filed 10/24/00, may contain the appropriate claims, however, the examiner could NOT locate this putative Supplemental Amendment (a Transmittal Sheet indicating the submission of a Supplemental Amendment, filed 10/24/00, is noted). If such a Supplemental Amendment was submitted, particularly with claims, applicant is invited to provide the Supplemental Amending, including the claims, with the appropriate postcard receipt to complete the instant file application. Also, it appears that a copy of the Office Action, mailed 12/5/00 does NOT appear in the scanned filed application. Applicant is invited to provide a copy this 12/5/00 Office Action to complete the instant file application. Applicant is reminded of the Rules of Practice Before the Board of Patent Appeals and Interferences, Final Rule published at 69 Fed. Reg. 49959 ; 1286 OG 21 (07Sep2004) The examiner apologizes for any inconvenience to appellant in this matter. This communication also should satisfy appellant's Status Inquiry, filed 5/20/4.